

ABSTRACT

Public Services - Allegation of demand and acceptance of bribe against Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District-Trapped on 04.10.2008-Sanction for Prosecution –Orders - Issued.

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REVENUE (VIG.II) DEPARTMENT

G.O.Ms.No: 754

Dated:22 .07.2009

1. G.O.Ms.No: 639 REV (VIG.II) DEPT, Dated:29.06.2009

2. From the D.G, ACB Rc.No.238/RCT-REG/08, dt.13.7.09

ORDER:

1. WHEREAS, Sri Dara Nageswara Rao worked as Tahsildar, Kapileswarapuram, East Godavari District from 05.11.2007 to 04.10.2008 and as such he is a public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. AND WHEREAS, Sri Bandaru Venkateswara Rao S/o Sreemaulu is a native of Vadapalem village, Kothapet Mandal.

3. AND WHEREAS, it is alleged that Sri B.Venkateswara Rao, Sri Doddipatla Perraju and Sri Bandaru Adi Pattabhi Ramaiah have land dispute with the people of Arjun Field Co-Operative Society with regard to the land situated in Survey No.439/1B of Bollanka village in Kapileswarapuram Mandal. Then the Sub-Collector conducted enquiry and gave finding that the land belongs to farmers. As Sri Bandaru Venkateswara Rao, Sri Doddipatla Perraju and Sri Bandaru Adi Pattabhi Ramaiah did not find their names in the list prepared during enquiry by the then Sub-Collector. They submitted their representations to the District Collector along with records during the year, 2005. On 31.05.2008, the District Collector directed the Mandal Revenue Officer, Kapileswarapuram to cause enquiry into the list of beneficiaries and take necessary action. On 08.06.2008 the Tahsildar, Kapileswarapuram served a notice to Sri B. Venkateswararao and he used to meet him twice in a week from the date of receipt of notice. On 29.07.2008, S/Sri B. Venkateswara Rao along with Doddipatla Perraju and B. Adi Pattabhi Ramaiah met the Tahsildar, Kapileswarapuram and caused their inquiry about their representations. The Tahsildar, Kapileswarapuram responded stating that he had no time to look into the same. Again during the month of September, 2008, when Sri Bandaru Venkateswara Rao met Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District two or three times and received the same response. On 30.09.2008 when Sri Bandaru Venkateswara Rao along with Perraju and Adi Pattabhi Ramaiah met Sri D. Nageswara Rao and enquired about their

representations. Then Sri Dara Nageswara Rao demanded them to pay Rs.10,000/- each for sending favourable report to the District Collector through the RDO and also threatened them that he would send adverse report if the bribe amount was not paid. When pleaded their inability to pay such huge amount as bribe he reduced the same to Rs,20,000/- and asked them to pay the same on 04.10.2008 at his office. Left with no option Sri Bandaru Venkateswara Rao, Perraju and Adi Pattabhi Ramaiah accepted the same. As they were not willing to pay bribe, Sri Bandaru Venkateswara Rao reported the same to the Range Inspector-II, Anti-Corruption Bureau, Rajahmundry on 01.10.2008 for taking necessary action against Sri Dara Nageswara Rao. After receiving the report of Sri B. Venkateswara Rao, the Range Inspector-II informed the same to the Deputy Superintendent of Police Anti-Corruption Bureau, Eluru Range (FAC), Rajahmundry Range over phone and the Deputy Superintendent of Police instructed him to conduct enquiry. Accordingly, he conducted the enquiry, verified the antecedents of Sri Bandaru Venkateswara Rao, Sri Dara Nageswara Rao, genuineness of the report and submitted the same. As per the instructions of the higher officials a case in Cr.No.14/RCT-RJY/2008 was registered on 4.10.2008 at 5.30 AM under sections 7, 13 (1) (d) read with section 13 (2) of Prevention of Corruption Act, 1988 and arrangements were made for laying the trap.

4. AND WHEREAS, after completing the pre-trap proceedings on 04.10.2008, Sri Dara Nageswara Rao was successfully trapped at about 12.30 PM. at his residence, when demanded and accepted the tainted amount of Rs.20,000/- from Sri Bandaru Venkateswara Rao in the presence of accompanying witness Sri Duddipatla Perraju. The Sodium Carbonate solution tests conducted on both hand fingers of Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District yielded positive result. The tainted amount was recovered from the left side pant pocket of Sri Dara Nageswara Rao. The Sodium Carbonate solution test conducted on the inner linings of the left side pant pocket of Sri Dara Nageswara Rao, which came into contact with the tainted amount proved positive. The DSP, Anti-Corruption Bureau, seized the tainted amount of Rs.20,000/-from the pant of Sri Dara Nageswara Rao, and connected documents, left-over Sodium Carbonate powder and other connected materials etc, and further investigated into the case.

5. AND WHEREAS, the above said acts of Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District constitute offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act. 49 of 1988).

6. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Dara Nageswararao, formerly Tahsildar, Kapileswarapuram, East Godavari District from Government service after fully and carefully examining the material placed before them in respect of

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the said allegations and having regard to the facts and circumstances of the case consider that Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District should be prosecuted in the Court of Law.

7. AND WHEREAS, the Director General, Anti-Corruption Bureau, Hyderabad in his reference 2nd read above, has requested for rectification of certain defect in the prosecution sanction orders issued by the Government in the order 1st read above.

8. NOW THEREFORE, in exercise of the powers conferred by Clause (b) of Sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, the Government of Andhra Pradesh hereby accord sanction for Prosecution of Sri Dara Nageswara Rao, formerly Tahsildar, Kapileswarapuram, East Godavari District for the above said offences punishable under sections 7 and 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

(ASUTOSH MISHRA)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti-Corruption Bureau, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER